

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 15, 2022

House of Representatives

The House convened at 11 a.m., Mr. Moyle in the Chair.

Roll call showed 67 members present.

Absent and excused - Addis, Bedke, and Skaug. Total - 3.
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Audrey Payne, Page.

3RD ORDER

Approval of Journal

February 15, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-sixth Legislative Day and recommend that same be adopted as corrected.

CHANEY, Chairman

Mr. Chaney moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

February 14, 2022

Mr. Speaker:

I transmit herewith [S 1266](#), [S 1273](#), and [S 1267](#) which have passed the Senate.

NOVAK, Secretary

[S 1266](#), [S 1273](#), and [S 1267](#) were filed for first reading.

February 14, 2022

Mr. Speaker:

I return herewith [H 472](#) and [H 450](#) which have passed the Senate.

NOVAK, Secretary

[H 472](#) and [H 450](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

5TH ORDER

Report of Standing Committees

February 15, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 34](#),

[HCR 35](#), [HCR 36](#), [HJM 4](#), [H 607](#), [H 608](#), [H 609](#), [H 610](#), [H 611](#), [H 612](#), [H 613](#), [H 614](#), [H 615](#), [H 616](#), [H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), [H 623](#), [H 624](#), [H 625](#), [H 626](#), [H 627](#), [H 628](#), [H 629](#), and [H 630](#).

CHANEY, Chairman

[HCR 34](#), [HCR 36](#), and [H 608](#) were referred to the Resources and Conservation Committee.

[H 630](#) was filed for second reading.

[HCR 35](#), [HJM 4](#), [H 616](#), [H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), [H 623](#), [H 624](#), [H 625](#), [H 626](#), and [H 629](#) were referred to the Judiciary, Rules and Administration Committee.

[H 607](#) was referred to the State Affairs Committee.

[H 609](#), [H 610](#), [H 611](#), [H 612](#), [H 614](#), [H 615](#), and [H 628](#) were referred to the Business Committee.

[H 613](#) was ordered held at the Desk.

[H 627](#) was referred to the Education Committee.

February 15, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 454](#) to the Governor at 11:15 a.m., as of this date, February 14, 2022.

CHANEY, Chairman

February 14, 2022

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 439](#), [H 547](#), and [H 548](#) and recommend that they do pass.

CRANE, Chairman

[H 439](#), [H 547](#), and [H 548](#) were filed for second reading.

February 14, 2022

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 527](#) and [H 528](#) and recommend that they do pass.

PALMER, Chairman

[H 527](#) and [H 528](#) were filed for second reading.

February 14, 2022

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, return misdirected [H 577](#) to the Desk.

DIXON, Chairman

[H 577](#) was referred to State Affairs Committee.

February 15, 2022

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 517](#) and [H 561](#) and recommend that they do pass.

WOOD, Chairman

[H 517](#) and [H 561](#) were filed for second reading.

February 15, 2022

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 550](#) and [H 563](#) and recommend that they do pass.

HARRIS, Chairman

[H 550](#) and [H 563](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 631 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO MASK MANDATES; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2359, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE PROHIBITION OF MASK MANDATES; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 632 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO HUMAN RIGHTS; AMENDING CHAPTER 59, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5909B, IDAHO CODE, TO PROHIBIT DENIAL OF ACCESS TO APPROPRIATE MEDICAL SERVICES UNDER CERTAIN CIRCUMSTANCES AND TO DEFINE A TERM; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 633 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO EXECUTION; AMENDING SECTION 19-2716A, IDAHO CODE, TO PROVIDE CONFIDENTIALITY FOR CERTAIN PERSONS AND TO PROVIDE THAT CERTAIN PERSONS SHALL NOT HAVE THEIR LICENSURE SUSPENDED OR REVOKED; AMENDING SECTION 74-105, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS SHALL BE EXEMPT FROM DISCLOSURE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 634 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF TEACHERS FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND FOR FISCAL YEAR 2022; CLARIFYING THE ORIGINAL FUND SOURCE FOR ADDITIONAL EXPENDITURES IN THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM FOR FISCAL YEAR 2022; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 635 BY LOCAL GOVERNMENT COMMITTEE AN ACT

RELATING TO CITIES; AMENDING SECTION 50-222, IDAHO CODE, TO REVISE PROVISIONS REGARDING ANNEXATION BY CITIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 636 BY LOCAL GOVERNMENT COMMITTEE AN ACT

RELATING TO ACCESSORY DWELLING UNITS; AMENDING SECTION 55-115, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROHIBITED CONDUCT BY HOMEOWNER'S ASSOCIATIONS; AMENDING CHAPTER 6, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-616, IDAHO CODE, TO PROHIBIT CERTAIN RESTRICTIVE COVENANTS AGAINST ACCESSORY DWELLING UNITS ON OWNER-OCCUPIED HOMESTEADS; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6540, IDAHO CODE, TO PROHIBIT CERTAIN CITY AND COUNTY ORDINANCES REGARDING ACCESSORY DWELLING UNITS ON OWNER-OCCUPIED HOMESTEADS AND TO DEFINE A TERM; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 637 BY LOCAL GOVERNMENT COMMITTEE AN ACT

RELATING TO COMMUNITY INFRASTRUCTURE DISTRICTS; AMENDING SECTION 50-3102, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-3104, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MEMBERSHIP OF A COMMUNITY INFRASTRUCTURE DISTRICT BOARD AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 638 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE FOR CERTAIN OFF-HIGHWAY VEHICLE OPERATION AND TO A MAKE TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 639 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING SECTION 49-307, IDAHO CODE, TO PROVIDE FOR DRIVER'S TRAINING BY A QUALIFYING PARENT OR LEGAL GUARDIAN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-302, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 640
BY TRANSPORTATION AND DEFENSE COMMITTEE
 AN ACT

RELATING TO THE IDAHO BROADBAND DIG ONCE AND RIGHT-OF-WAY ACT; AMENDING CHAPTER 5, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-515, IDAHO CODE, TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 5, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-516, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT REGARDING A DIG ONCE POLICY; AMENDING CHAPTER 5, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-517, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 5, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-518, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A DIG ONCE POLICY AND PROJECT IDENTIFICATION; AMENDING CHAPTER 5, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-519, IDAHO CODE, TO PROVIDE THAT BROADBAND PROVIDERS ACTING IN ACCORDANCE WITH THE DIG ONCE POLICY SHALL NOT BE ASSESSED FAIR MARKET VALUE; AMENDING CHAPTER 5, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-520, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING RIGHTS-OF-WAY FOR BROADBAND; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 641
BY AGRICULTURAL AFFAIRS COMMITTEE
 AN ACT

RELATING TO VETERINARIANS; AMENDING SECTION 54-2103, IDAHO CODE, TO PROVIDE FOR INDIRECT SUPERVISION AND THE OFFERING OF CERTAIN SERVICES TO THE PUBLIC BY ALLIED HEALTH PROFESSIONALS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2104, IDAHO CODE, TO PROVIDE FOR THE OFFERING OF CERTAIN SERVICES TO THE PUBLIC BY ALLIED HEALTH PROFESSIONALS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 642
BY AGRICULTURAL AFFAIRS COMMITTEE
 AN ACT

RELATING TO SOIL CONSERVATION DISTRICTS; AMENDING SECTION 22-2717, IDAHO CODE, TO REMOVE A DEFINITION; AMENDING SECTION 22-2718, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SOIL AND WATER CONSERVATION COMMISSION; REPEALING SECTION 22-2719, IDAHO CODE, RELATING TO THE CREATION OF SOIL CONSERVATION DISTRICTS; AMENDING SECTION 22-2721, IDAHO CODE, TO REVISE PROVISIONS REGARDING SUPERVISORS; AMENDING SECTION 22-2726, IDAHO CODE, TO REMOVE A CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 643
BY LOCAL GOVERNMENT COMMITTEE
 AN ACT

RELATING TO SUBDIVIDING LAND; AMENDING SECTION 67-6513, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR EXEMPTIONS FROM COUNTY

SUBDIVISION ORDINANCES, REGULATIONS, RULES, AND PROCESSES; AMENDING SECTION 67-6523, IDAHO CODE, TO LIMIT THE APPLICATION OF EMERGENCY ORDINANCES AND MORATORIUMS; AMENDING SECTION 67-6524, IDAHO CODE, TO LIMIT THE APPLICATION OF INTERIM ORDINANCES AND MORATORIUMS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 644
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO EVIDENCE; AMENDING SECTION 9-203, IDAHO CODE, TO DEFINE TERMS, TO PROHIBIT DISCLOSURE OF CERTAIN COMMUNICATIONS, TO PROVIDE EXCEPTIONS, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

[H 631](#), [H 632](#), [H 633](#), [H 634](#), [H 635](#), [H 636](#), [H 637](#), [H 638](#), [H 639](#), [H 640](#), [H 641](#), [H 642](#), [H 643](#), and [H 644](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1266](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1273](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1267](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

10TH ORDER
Second Reading of Bills and Joint Resolutions

[HCR 33](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 512](#), [H 522](#), and [H 566](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 545](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1238](#), by Education Committee, was read the second time by title and filed for third reading.

[H 564](#) and [H 565](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

11TH ORDER
Third Reading of Bills and Joint Resolutions

[H 559](#) - **CONFINED ANIMAL FEEDING OPERATIONS**

[H 559](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Lickley to open debate.

Pursuant to Rule 80(3), the following Representatives disclosed a conflict of interest regarding [H 559](#):

Ms. Lickley Ms. McCann Mrs. Toone

The question being, "Shall [H 559](#) pass?"

Roll call resulted as follows:

AYES—Amador, Andrus, Berch, Blanksma, Boyle, Bundy, Burns, Cannon, Chaney, Chew, Clow, Erickson, Furniss, Galloway, Gannon, Gestrin, Gibbs, Green, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Manwaring, Marshall, Mathias, McCann, McCrostie, Mitchell, Monks, Moyle, Nash, Necochea, Rubel, Ruchti, Shepherd, Syme, Toone, Troy, Vander Woude, Weber, Wood(Critchfield), Yamamoto, Young, Youngblood, Mr. Speaker. Total - 48.

NAYS—Adams, Armstrong(Armstrong), Barbieri, Christensen, Crane, DeMordaunt, Dixon, Ehardt, Ferch, Giddings, Hanks, Harris, Mendive, Moon, Nate, Nichols, Okuniewicz, Palmer, Scott, Wisniewski. Total - 20.

Absent—Addis, Skaug. Total - 2.

Paired Votes:

AYE - Bedke NAY - Christensen

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker Pro Tem declared that [H 559](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 531](#) - MONUMENTS AND MEMORIALS

[H 531](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Okuniewicz to open debate.

The question being, "Shall [H 531](#) pass?"

Roll call resulted as follows:

AYES—Adams, Addis, Amador, Andrus, Armstrong(Armstrong), Barbieri, Blanksma, Boyle, Bundy, Cannon, Christensen, Crane, DeMordaunt, Dixon, Ehardt, Erickson, Ferch, Furniss, Galloway, Gestrin, Giddings, Hanks, Harris, Holtzclaw, Horman, Kingsley, Mendive, Mitchell, Monks, Moon, Moyle, Nate, Nichols, Okuniewicz, Palmer, Scott, Shepherd, Vander Woude, Weber, Wisniewski, Wood(Critchfield), Yamamoto, Young, Youngblood. Total - 44.

NAYS—Berch, Burns, Chaney, Chew, Clow, Gannon, Gibbs, Green, Hartgen, Kauffman, Kerby, Lickley, Manwaring, Marshall, Mathias, McCann, McCrostie, Nash, Necochea, Rubel, Ruchti, Syme, Toone, Troy. Total - 24.

Absent—Skaug, Mr. Speaker. Total - 2.

Paired Votes:

AYE - DeMordaunt NAY - Green

AYE - Blanksma NAY - Rubel

AYE - Addis NAY - Mathias

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker Pro Tem declared that [H 531](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Monks asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

15TH ORDER Announcements

Announcements were made to the body.

16TH ORDER Adjournment

Mr. Monks moved that the House adjourn until 11 a.m., Wednesday, February 16, 2022. Seconded by Ms. Necochea. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:15 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk